

## Exhibit S

VOL. I  
PAGES 1-124  
EXHIBITS 1-20

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

C.A. NO.: 04-CV-11340DPW

\* \* \* \* \*

STEPHEN KEEFE,

PLAINTIFF,

VS

LOCALS 805, INTERNATIONAL

LONGSHOREMEN'S ASSOCIATION,

AFL-CIO, ET. AL,

DEFENDANTS.

\* \* \* \* \*

DEPOSITION OF STEPHEN KEEFE, taken on  
behalf of the Defendants, pursuant to the  
applicable provisions of the Federal Rules of  
Civil Procedure, before Bernadette J. D'Alelio,  
Notary Public and Court Reporter within and for  
the Commonwealth of Massachusetts, at the  
Offices of Mullen & McGourty, 52 Temple Place,  
Boston, Massachusetts, on May 8, 2006,  
at 10:01 a.m., as follows:

Page 50

1 BY MR. MAHONEY:

2 Q. Regardless of the date that you were  
3 placed back on Gang 11, Mr. Keefe, after your  
4 suspension, had you been working out of Gang 11  
5 since that date?

6 A. 11. 11 and now 10.

7 Q. Now, according to answers that the  
8 defendants provided to questions that your  
9 attorney asked, which was signed by  
10 Mr. McGaffegan in January of '05, he indicated  
11 that you were placed back in Gang 11 on August  
12 6, 2003.

13 Do you have any reason to disbelieve  
14 that that is accurate? Do you think that is  
15 not true, in other words?

16 A. August 6, '03?

17 Q. Yup.

18 A. I would say that's correct, yeah. I  
19 guess.

20 Q. In 2000, 2001, and 2002, you were  
21 getting income from Clark and income from the  
22 union, is that right, when you were placed out?

23 A. Yes.

24 Q. Let's go to 2003. You have a copy of

Page 51

1 Exhibit 1 in front of you, right?

2 In 2003 you earned \$15,153 from Clark;  
3 is that right?

4 A. Yes.

5 Q. And you were paid \$19,773 from  
6 unemployment; is that right?

7 A. Yes.

8 Q. And you got 108.50 from Columbia  
9 Coastal; is that right?

10 A. Yes.

11 Q. So would it be fair to say that in  
12 2003, the only income that you received from  
13 having been placed out by the union was  
14 \$708.50; is that right?

15 A. Having been placed out of the union  
16 hall?

17 Q. Having been dispatched by the union  
18 hall. The money you got from Columbia Coastal,  
19 in other words.

20 A. I don't see another company down here  
21 but I don't know. I guess, yeah.

22 Q. That brings up a good point.

23 MR. MAHONEY: Until I get a  
24 formal response on your -- to my request of

Page 52

1 documents, I'm going to exhaust my questioning  
2 today. Until I get a full response, I'm going  
3 to suspend on that issue, just so that I can  
4 ascertain that this is the only other income.

5 MR. LATHROP: I will tell you in  
6 advance, what we will say is that we will and  
7 have produced any and all W-2s for the years  
8 requested.

9 MR. MAHONEY: Right. But the  
10 request also asks for the tax returns  
11 redacted. Until I get a formal response on  
12 that issue, I'm going to suspend. I'm going to  
13 exhaust every other line of questioning that I  
14 can today.

15 MR. LATHROP: Sure.

16 BY MR. MAHONEY:

17 Q. Let's go to 2002, then, sir.

18 In 2002 you earned \$76,362 on one W-2  
19 from Clark; is that right?

20 A. Yes.

21 Q. And then you also earned \$6,444.55 on  
22 a second W-2 from Clark; is that right?

23 A. Yes.

24 Q. Why did you get two W-2s that year

Page 53

1 from Clark? Is the 6,000 a bonus?

2 A. No. The 6,444 was from the union  
3 hall.

4 Q. You were dispatched to Clark and  
5 earned \$6,444? You were dispatched from the  
6 union?

7 A. Yeah.

8 Q. The \$76,000 you earned was not as a  
9 result of being dispatched by the union; is  
10 that right?

11 A. Correct.

12 Q. Additionally, in 2002, it looks like  
13 you earned 16,005.19 from Coastal; is that  
14 right?

15 A. Yes.

16 Q. That was also as a result of being  
17 dispatched by the union hall?

18 A. Yes.

19 Q. And then in 2002, it looks like you  
20 earned \$1,853 from P&O Ports of New England?

21 A. Yes.

22 Q. Was that as a result of being  
23 dispatched by the union hall?

24 A. Yes.

14 (Pages 50 to 53)